

UNITED STATES DISTRICT COURT

for the

Western District of New York

BENJAMIN HEETER et al.

Plaintiff(s)

v.

LETITIA JAMES, In Her Official Capacity As
Attorney General of The State Of New York
et al.*Defendant(s)*

Civil Action No. 24-cv-623

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Letitia James
 Managing Attorney's Office
 Empire State Plaza
 Justice Building, 2nd Floor
 Albany NY 12224

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Nicolas J. Rotsko, Esq.
 Fluet
 1751 Pinnacle Drive, Suite 1000
 Tysons, VA 22102
 T: (703) 590-1234

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 7/3/2024



CLERK OF COURT

Mary Choewenguth
 Signature of Clerk or Deputy Clerk

Mary Choewenguth

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. **1:24-cv-00623-JLS****PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* **Letitia James, Attorney General** was received by me on *(date)* **July 12, 2024**.

- ☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or
- ☒ I served the summons on *(name of individual)* **Jasmine Hughes**, who is designated by law to accept service of process on behalf of *(name of organization)* **Letitia James, Attorney General** on *(date)* **Friday, July 12, 2024**; or
- ☐ I returned the summons unexecuted because: _____; or
- ☐ Other: _____; or

My fees are \$ 00.00 for travel and \$ 149.00 for services, for a total of \$ 149.00.

I declare under penalty of perjury that this information is true.

Date: **July 16, 2024**



Server's signature

Tamara Jones 2117584-DCWP • Private Process Server

Printed name and title

Patriot Process Service
3900 Jermantown Rd • Suite 300
Fairfax, VA 22030
703-385-5300

Server's address

Additional information regarding attempted service, etc.:

1) Successful Attempt: Jul 12, 2024, 3:02 pm EDT at 28 Liberty Street, New York, NY 10005 received by Jasmine Hughes, Authorized Recipient for Letitia James, Attorney General. Age: 30-35; Ethnicity: African American; Gender: Female; Weight: 270; Height: 6'2"; Hair: Black; Eyes: Brown; Relationship: Office Assistant 1;

I arrived at 28 Liberty St and went to the Messenger Center. Gina, the guard there (female, Hispanic, 4'8", 115 lbs, auburn hair, brown eyes, wears prescription glasses) escorted me upstairs to the 45th floor where the Attorney General's process window is. There, I informed Jasmine Hughes, the office assistant, that I had legal documents. She accepted service and stamped them. After collecting her information, I was escorted back downstairs, where I left the premises.

Recipient accepted paperwork personally and stated that they had the authority to do such.